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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,453	06/23/2003	Yoshihiro Yazawa	1116-03	9728
35811	7590	03/24/2006	EXAMINER	
IP GROUP OF DLA PIPER RUDNICK GRAY CARY US LLP			LAVILLA, MICHAEL E	
1650 MARKET ST			ART UNIT	
SUITE 4900			PAPER NUMBER	
PHILADELPHIA, PA 19103			1775	

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Objections

1. Claim 31 is objected to because of the following informalities: Regarding Claim 31, last line, the word "about" is misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
3. The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 30-33 and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Regarding Claim 30, it is unclear what is the claimed paint thickness. Is it from 5 to 50 microns, or from 5 to 100 microns?
6. The following is a quotation of the first paragraph of 35 U.S.C. 112:
7. The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
8. Claim 29 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding Claim 29, it is unclear where the subject matter of this claim is disclosed in the original

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Specification or is otherwise provided antecedent support by the original Specification. Applicant's amendment does not appear to provide an explanation for antecedent support.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Sakamoto et al. WO 02/099154. Sakamoto teaches seam welding a stainless steel sheet having an epoxy paint layer with zinc powder as claimed. See Sakamoto USPA 2003/0196715 (Abstract; paragraphs 39, 40, 68-72, and 80-86; and Table 3) (translation of WO 02/099154). Sakamoto may not exemplify the claimed functional agents. It would have been obvious to one of ordinary skill in the art at the time of the invention to include any traditional processing agents in

the paint of Sakamoto, including those claimed, in order to confer optimal processing on the article of Sakamoto. It is noted that no particular amounts or chemical compositions of these agents are claimed.

Response to Amendment

12. The claim objection of the Office Action mailed on 11 October 2005 is withdrawn, as it has been rendered moot.

13. The objection to the Specification of the Office Action mailed on 11 October 2005 is withdrawn, in view of applicant's amendments and arguments.

14. Applicant's certified copy of applicant's priority document 2002-261773 09/06/2002 has been received.

15. In view of applicant's amendments and arguments, the section 112, second paragraph rejections of the Office Action mailed on 11 October 2005 are withdrawn.

16. In view of applicant's amendments and arguments, the section 102 and 103 rejections over Sakamoto of the Office Action mailed on 11 October 2005 are withdrawn.

Allowable Subject Matter

17. Claims 1, 2, 5, 17, 18, 21, 34-36, and 38-48 are allowed.

18. Claim 30 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

19. Claims 31-33 and 37 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

20. None of the reviewed prior art teaches or suggests the claimed subject matter of Claims 1, 2, 5, 17, 18, 21, and 31-48. Particularly, the claimed relative weight and volume amounts of metal/zinc powder in combination with the other claimed limitations are not taught or suggested.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

22. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael La Villa whose telephone number is (571) 272-1539. The examiner can normally be reached on Monday through Friday.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on (571) 272-1540. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael La Villa
20 March 2006


MICHAEL E. LAVILLA PH.D.
PRIMARY EXAMINER